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Agenda item 4
Human rights situations that require the Council's attention

Written statement* submitted by the Conseil International pour le soutien à des procès équitables et aux Droits de l'Homme, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[31 August 2018]

* Issued as received, in the language(s) of submission only.

GE.18-14724(E)
1814724

Please recycle

The United Arab Emirates-Run Secret Prisons in Yemen

In prisons located in hidden places among military bases, ports, airports and residential buildings, where all unimaginable means of torture are practiced, there are hundreds, even thousands of Yemenis who disappeared by force after they were arbitrarily arrested with no charges or trials.

More than two thousand detainees, including children, are being held in 18 secret prisons run by UAE forces in the south of Yemen. They are located in the districts of Aden, Mukalla, Hadramawt and Socotra, in addition to another prison at an Emirati base in the port of Assab in Eritrea.

United States of America forces were not far from these prisons which they transformed into a similar version of Abu Ghraib prison, which is characterized with bloodshed, brutality, and the methods of torture that cannot be imagined. There is a building for US Marine forces located in Al Rayyan airport, in addition to the presence of CIA investigators to interrogate the detainees in Al Rayyan prison after being transferred to a military vessel in the Yemeni territorial waters adjacent to the Governorate of Hadramawt.

How can we even imagine the situation of the detainees in these prisons; trapped between the jaws of the UAE forces, on the one hand, who exercise their abhorrent hatred against the people of Yemen because of its patriotic positions, and the US forces known for their professionalism in the torture of detainees on the other?????

Methods of torture in UAE-run prisons

The officers of these prisons spared no effort to find new methods of torture. The Associated Press; an American news agency, revealed in its investigation about the secret prisons run by the UAE in the south of Yemen that hundreds of Yemeni detainees are subjected to torture and sexual abuse by Emirati officers.

- ✓ Rape

Hundreds of detainees were subjected to different methods of sexual, abuse whether by the use of devices, batons, or directly by individuals using electric shock in the areas of the chest, armpits and genitalia. Moreover, they put the detainee in a tight space called "the squeezer" where they squeeze the testicles with plastic restraints, and in some cases they rape the detainee and film him while being raped to use that as a mean to force the detainees to cooperate with the Emirati officers in spying.

One of the detainees said in his testimony, "they strip you of your clothes, then they tie your hands to a steel shaft from the right and the left and then they begin to practice sodomy."

Another said, "They inserted a solid object into my anus until I started to bleed"

Some of the letters leaked by former detainees revealed that the Emirati officers ordered the detainees to take off their clothes and lie on the ground, under the pretext of searching for smart phones in their possession, and those who resisted have been punished by being exposed to dogs and severe beatings.

- ✓ Skinning and bone breaking

The detention center run by Aden Head of Security was infamous for subjecting detainees to severe torture sessions that include skinning with steel skewers, beating with hammers, electrocution, breaking bones with stones, burning the flesh with melting plastic, inserting needles under the nails and burning with fire.

"They assaulted me with electric cables, steel or electric shock, or took off my clothes, except underwear, and beat me all over my face and body with their boots. The soldiers would hold you up in the air, and then throw you to the ground"

- ✓ Torture killing

A secret report prepared by military figures who worked with the Saudi-Emirati alliance revealed that 47 detainees died after being subjected to a systematic torturing.

One of the detainees said, "I saw the dead body of one of my fellow detainees being moved in a body bag after he was subjected to continuous torturing"

So far, the fate of about 26 missing people remains unknown, and it is expected that they have been tortured to death.

The Emirati and Yemeni forces who run these prisons have been exercising the most severe methods of torture that cannot be believed or even imagined. Torture was their mean to direct their grudge and hatred to the bodies of the innocent people of Yemen who finally realized that the one they considered as their savior is nothing but a bloody torturer.

"We used to hear about torture and say that such things can never happen until we personally experienced the ordeal"

Secret prisons and international violations

The practice of torture and enforced disappearance in the UAE's secret prisons in Yemen reflects the extent of the hidden face of the UAE and its criminal conduct in dealing with the detainees.

Since the beginning of the aggression against Yemen, we have been witnessing outrageous violations of all the international norms and conventions on a daily basis. Moreover, the establishment of secret prisons by the UAE forces that are not subject to any jurisdiction of the State of Yemen, which allows them to continue their blatant and uncontrollable violations, is in itself a violation of international legitimacy.

Raiding Houses and kidnapping and arresting citizens, including children, with no charges, trials or even legal procedures, as well as, confining them in secret prisons and subjecting them to all means of torture are all considered as a humanitarian transgressions of the UAE outside the framework of international law.

"All we want is to know the fate of my brother. We want nothing more than hearing his voice and knowing his whereabouts. If he committed something wrong, are there no courts to prosecute him and those alike? Let them be trialed at least and let us visit him. Otherwise, what is the need for courts? Why did they make them disappear forcibly?"

The activities of secrets prisons in Yemen that include (kidnap, torture, and enforced disappearance) in addition to moving some of the detainees to Somalia and Eretria constitute a violation of the Fourth Geneva Convention of 1949 and the first additional protocol for the protection of civilian detainees during international armed conflicts.

The alliance has violated the international humanitarian law and the standards related to the conventions for the protection of human rights under article 45 of the Geneva conventions on the protection of (victims of international armed conflicts).

International Council Supporting Fair Trial and Human Rights demands the following:

- The UN should conduct a special investigation about the UAE-run network of secret prisons in Yemen, and hold the parties who are responsible for (torture and enforced disappearance) inside these prisons accountable in accordance with articles (5-6) of the convention on the protection of all persons from enforced disappearance. "The practice of general or systematic enforced disappearance constitutes a crime against humanity as defined in the applicable international law and entails the consequences provided for in that law".
- International criminalization for all those who directly or indirectly participated in the torturing in secret prisons, including the US forces. Noting that the participation in such activities constitutes a violation of the UN convention against torture and to consider involved in obtaining intelligence that might have been taken through torture.
- The international community and the United Nations shall bear the consequences of procrastination in their international movements to shut down the UAE-run network of illegal prisons.
- The children should be excluded from all conflicts, as they should be protected under the international law.
- The International Criminal Court (ICC) should investigate the abuses committed by the coalition of aggression in Yemen especially that their brutal practices amount to war crimes.
- The war on Yemen should be ended as it has been clear that the coalition of aggression seeks the destruction of Yemen and annihilation of the Yemeni people. The ones who convinced the world that they came as saviors for the people under the international legitimacy were exposed by their illegitimate practices that they are nothing but "torturers".

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Please recycle

"Stateless" People in Kuwait (Bidoon)

In a state known for its development, prosperity, democracy, and its attempt to meet the rights of its people, a serious social tragedy emerges. Kuwait deprives a segment of its people from citizenship and gives them the title of "Bidoon"; (Stateless).

"The Bidoon" or stateless people are a segment of the people that live in Kuwait but do not hold its citizenship, so they illegally reside on its territory. The number of this segment reaches 130.000 people, excluding those who were prevented to register in the State's records.

As the stateless people are deprived from having the citizenship, they miss the legal bond that links them with their state, the bond that allows them to have all their civil rights guaranteed under the constitution, and the State shall be held responsible to meet the requirements and needs of its citizens. For them, their mere birth among this segment is a crime, the burden of which they shall bear all their lives.

The state of Kuwait started its post- independence era with depriving the stateless people from their basic rights and the privileges that the ordinary citizen enjoys as provided by the state's constitution. The State argues that the "Bidoon" deliberately destroyed the evidence of their nationalities for the sake of obtaining the privileges granted by the state to its citizens. The government also alleges that the area of the country and the demographic distribution of the population as well as the political and economic conditions of the country do not allow it to provide large-scale naturalization in an attempt to grant citizenship according to a deliberate plans. For how long shall the state of Kuwait keep postponing in solving this humanitarian and social crisis, which has become a black mark in its human rights record? Issuing a decision to naturalize about 2000 or 4000 people each year will require 50 years to close the case, taking into account that the segment of the stateless people are not among the people who are being naturalized. Let alone the intentional political demographic change conducted by the government of Kuwait starting form 1991 embodied by admitting about 700.000 new citizens most of whom originally holding the Saudi nationality, and they were granted the Kuwaiti nationality in addition to the Saudi one.

As a result of the Kuwaiti government's procrastination in solving the case, the stateless people went out in peaceful demonstrations to demand their lawful rights provided for in the universal declaration of the human rights, which the state of Kuwait has ratified to adhere to. However, the security authorities confronted these demonstrations with repression using rubber bullets, tear gas, and arbitrary arrests in the name of the Kuwaiti law, which prevents non-Kuwaitis from participating in public gatherings, despite the claim made by the government that the "Bidoon" stateless people enjoy human rights equal to those of Kuwaiti citizens.

This segment of the population is being deprived from all civil rights such as extracting official documents, moving freely across the state, travelling, working, receiving education and medical treatment, and other rights due to the severe restrictions imposed on them by the state.

One of them said: "How can I be a citizen while being deprived from almost all my rights?" "I am a Kuwaiti with no Kuwaiti Rights".

Stateless people do not have the right to reside in Kuwait the capital and own a residence there. They reside in neglected neighborhoods on the outskirts of the state suffering from difficult living conditions. Moreover, being deprived from the right to have a job and receive a decent salary makes their dream to own a house in the city of Kuwait almost impossible.

The government of Kuwait practices the policy of systematic discrimination against its people by depriving them of their rights and violating article 29 of its constitution which provides that "All people are equal in human dignity, they are equal before the law in public rights and duties, and there should be no discrimination of any kind between them as to race, origin, language, or religion." The government also violates the United Nations Convention of 1954 related to stateless people that provides: "Stateless people shall be granted full human rights of the citizens such as work, movement, study, marriage ... etc. until they obtain citizenship."

In addition, Kuwait does not allow Kuwaiti women to pass the citizenship to their children. As a result, if a Kuwaiti woman gets married to a stateless person she gives birth to stateless children, which represents a blatant violation of Kuwait's international obligations and exacerbates the crisis of the stateless people.

The International Council Supporting Fair Trial & Human Rights again and again sheds light on the issue of the "Bidoon" stateless people in Kuwait as it is as an escalating human crisis and demands of the following:

- The Human Rights Council should hold an emergency meeting to discuss the case of "Bidoon" stateless people and help the State of Kuwait setting effective solutions to solve this problem, and shed light on the violations committed against the rights of the stateless people by the State of Kuwait.

- To form and set up specialized international committees to address this issue in order to avoid any pretext that might be made by the state of Kuwait to delay resolving this case, affirming the right of any citizen to obtain the citizenship.

- Until this problem is solved, the government of Kuwait shall be obligated to grant the stateless people passports, medical and educational care, and permanent resident permits by issuing an ID card for them. In addition, to issuing birth certificates, death certificates, driving licences and other civil rights to avoid the consequences of the systematic discrimination practiced against them in the coming days.

- The government of Kuwait shall amend the related laws in accordance with the constitution and international covenants in order to allow the Kuwaiti woman to pass the citizenship to her children.

The International Council Supporting Fair Trial & Human Rights (ICSFT) believes that it is shameful for a state like Kuwait, which has witnessed such development and openness, to be unable to develop effective solutions to the case of the "Bidoon" stateless people and continue dealing with it in a negative and racial manner to the point that it has become a black mark on its human rights record since sixty years.